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Security Council Committee established pursuant to resolution 1737 (2006)

Letter dated 1 March 2007 from the Permanent Representative of Singapore to the United Nations addressed to the Chairman of the Committee

Please refer to paragraph 19 of resolution 1737 (2006), requesting Member States to inform the Security Council of the steps they have taken to implement the provisions specified therein.

In this regard, I am pleased to submit the national report of Singapore on the implementation of Security Council resolution 1737 (2006) (see annex).

(*Signed*) Vanu Gopala **Menon**
Ambassador Extraordinary and Plenipotentiary

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Annex to the letter dated 1 March 2007 from the Permanent Representative of Singapore to the United Nations addressed to the Chairman of the Committee

National report of Singapore on the implementation of Security Council resolution 1737 (2006)

1. Singapore supports United Nations Security Council resolution 1737 imposing sanctions on the Islamic Republic of Iran. In this regard, Singapore has the relevant legislative framework that will enable us to meet our obligations under resolution 1737.

National legislative measures

2. Singapore has in place various legislative measures to impose the sanctions stipulated under resolution 1737. These are the Strategic Goods (Control) Act, the Regulation of Imports and Exports Act, the United Nations Act, the Monetary Authority of Singapore Act, the Merchant Shipping Act, and the Immigration Act.

3. Through these legislative measures (to be described in greater detail below) Singapore is able to implement the various provisions of resolution 1737 in the following manner:

OP 3 — through a combination of the United Nations Act, the Strategic Goods (Control) Act, the Regulation of Imports and Exports Act, and the Merchant Shipping Act;

OP 4 — through a combination of the United Nations Act, the Strategic Goods (Control) Act, the Regulation of Imports and Exports Act, and the Merchant Shipping Act;

OP 5 — through a combination of the Strategic Goods (Control) Act, and the Regulation of Imports and Exports Act;

OP 6 — through a combination of the United Nations Act and the Monetary Authority of Singapore Act;

OP 7 — through a combination of the United Nations Act, the Regulation of Imports and Exports Act, and the Merchant Shipping Act;

OP 9 — through the Regulation of Imports and Exports Act;

OP 10 — through the Immigration Act;

OP 12 — through a combination of the United Nations Act and the Monetary Authority of Singapore Act; and

OP 17 — through the United Nations Act.

Strategic Goods (Control) Act

4. As part of its efforts to help curb the proliferation of weapons of mass destruction, Singapore implemented in January 2003 a robust and enhanced export control system that would support global efforts to curb the proliferation of weapons of mass destruction. The Strategic Goods (Control) Act regulates the export, re-export, trans-shipment and transit of goods related to weapons of mass

destruction, as well as controls on brokering and Intangible Transfers of Technology (ITT), which is a unique feature yet to be implemented in many export control systems in the world. Most importantly, there is a catch-all provision that allows Singaporean authorities to enforce export control laws on items that are intended for weapons of mass destruction end use but have not been included in our control list. Wide powers are also given to law enforcement officers for arrest, search and seizure. The Act imposes heavy penalties for parties involved in transferring or brokering the transfers of strategic goods or technology. A first-time offender can be subjected to a maximum fine of S$100,000 (or even more, depending on the value of the goods or technology concerned) or a maximum sentence of two years' imprisonment, or both.

5. Singapore Customs is the National Authority for the implementation of the Strategic Goods (Control) Act. Singapore Customs processes all permit applications, registers and audits arms brokers, conducts industry outreach and public awareness programmes and enforces the Act and its Regulations on violations of strategic goods control. Enforcement is based on both timely and reliable intelligence and risk management assessment.

6. Singapore is continually monitoring its system and will make further refinements to it, be they in terms of control lists or procedures, where necessary. In this regard, Singapore has decided to expand our strategic goods control lists to include all items from the four multilateral non-proliferation regimes — the Australia Group, the Wassenaar Arrangement, the Nuclear Suppliers Group and the Missile Technology Control Regime — with effect from January 2008. Singapore Customs has been conducting regular outreach sessions to educate industries on the Singaporean strategic goods control system. Participants are reminded of the need to exercise due diligence, particularly with regard to goods originating from or destined to the countries and entities that are listed in the lists compiled under the relevant Security Council resolutions.

7. Specifically, the Strategic Goods (Control) Act allows Singapore to implement the sanctions at OPs 3(a)-(c), 4(a)-(b), 5(a)-(b), and 7 of resolution 1737 by controlling the export, re-export, trans-shipment and transit of items specified in these paragraphs to Iran, through our territories, or of any other items that could contribute to Iran's enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems. Singapore is also in the process of amending the Strategic Goods (Control) Act to allow for the release of information to the Committee and the IAEA, as covered by OP 5(c) and 5(d) respectively.

Regulation of Imports and Exports Act

8. The Regulation of Imports and Exports Act and its Regulations provide the framework under which Singapore regulates and controls general imports and exports. It also regulates controls on countries under Security Council embargo and certification of the Import Certificate and Delivery Verification system which regulates controlled items from originating countries for end-users in Singapore.

9. Specifically, the regulation of Imports and Exports Act and Regulation will allow Singapore to implement the sanctions at OPs 3(a)-(d), 4(a)-(c), 5(a)-(b), 7 and 9 by controlling the import and export of items specified in these paragraphs. Singapore is also in the process of amending the Regulation of Imports and Exports

Act to allow for the release of information to the Committee and the IAEA, as covered by OP 5(c) and 5(d) respectively.

United Nations Act

10. The United Nations Act was enacted in October 2001 to enable the Singapore Government to give effect to binding decisions of the United Nations Security Council through subsidiary legislation, in areas not covered by existing legislation, without the need to enact additional primary legislation. Regulations made under this Act have force of law and entail criminal penalties, notwithstanding anything to the contrary in any other law apart from the Singapore Constitution. These Regulations apply to all persons and entities in Singapore and may be extended to Singapore citizens outside Singapore.

11. A new Regulation under the United Nations Act, currently in draft form, will criminalize the supplying, selling or transferring to Iran whether directly or indirectly, of any of the items in OP 3 and OP 4 of the resolution by persons or entities in Singapore and, Singapore citizens outside Singapore or by using Singapore flagged vessels or aircraft. The Regulations will also implement OP 7 by criminalizing the procurement of the items referred to in S/2006/814 and S/2006/815 from Iran by Singapore nationals or using Singapore flagged vessels or aircraft.

12. The Regulation will further criminalize the provision of technical assistance or training, financial assistance, or investment, brokering or other services, or transfer of financial resources or services as covered under OP 6. In addition, the Regulation will also impose an asset freeze on all relevant assets covered under OP 12, other than assets in the hands of financial institutions, of the List of persons or entities in the annex of the resolution. Assets in the possession of financial institutions will be frozen pursuant to Regulations made under the Monetary Authority of Singapore Act — see next section.

13. The Regulation will also prohibit the specialized teaching or training to Iranian nationals in Singapore or by Singapore citizens outside Singapore, of disciplines which would contribute to the proliferation of sensitive nuclear activities or development of nuclear weapon delivery systems by Iran, as covered under OP 17.

Monetary Authority of Singapore Act

14. Under section 27A of the Monetary Authority of Singapore Act, the Monetary Authority of Singapore may issue Regulations to require financial institutions to comply with Singapore's obligations under the United Nations Security Council resolutions. A new Regulation under the Monetary Authority of Singapore Act, currently in draft form, will impose an asset freeze on all relevant assets covered under OP 12. Financial institutions in Singapore will also be prohibited from providing financial assistance, investment, brokering or other financial services, transferring financial resources or services as covered in OP 6. Any financial institution found to be in breach of the Regulations will be guilty of an offence and be liable on conviction to a fine.

Merchant Shipping Act

15. Under section 43 of the Merchant Shipping Act, the Maritime Port Authority of Singapore may close the registry of a Singapore ship and cancel its certificate of

registry. This statutory provision may be invoked in appropriate cases to enforce the relevant portions of Security Council resolution 1737. In order to inform and remind our ship-owners of Singapore registered ships to observe the sanctions, the Maritime and Port Authority of Singapore has issued Shipping Circular No. 2 of 2007 dated 5 January 2007 for their compliance.

Immigration Act

16. The Immigration Act sets the legal boundaries for the movement of persons into and out of Singapore. Under Section 7 of the Immigration Act, no one has an automatic right of entry into Singapore apart from Singapore citizens. Under Section 6, unless exempted by an order made under Section 56, foreign visitors to Singapore have to be issued with a valid pass before they are allowed entry. As part of the entry procedures, they are screened against the Immigration & Checkpoint Authority's blacklist database during entry clearance. Persons so designated by the Committee established under the resolution or by the Security Council can be denied entry and returned to their last port of embarkation in accordance with international practice.